

## REMARKS

Claims 1, 3, 18, and 20-42 are pending. Independent Claim 18 is allowed, and dependent Claims 20, 22, 24-29, 32-36, and 39-42 are allowable. Applicants thank the Examiner for allowing those claims.

### 35 U.S.C. § 103(a)

According to the Office Action, Claims 1, 3, 21, 23, 30, 31, 37, and 38 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,738,893 by Rozas in view of United States Patent No. 5,437,017 by Moore et al.

Applicants respectfully note that Rozas is disqualified as prior art. The instant application claims priority to U.S. Patent No. 6,199,152 and has an effective filing date of August 22, 1996. Rozas has a filing date of April 25, 2000. Hence, Rozas does not qualify as prior art.

Accordingly, Applicants respectfully submit that a *prima facie* case of obviousness has not been made. Therefore, Applicants respectfully submit that the basis for rejecting Claims 1, 3, 21, 23, 30, 31, 37, and 38 under 35 U.S.C. § 103(a) is traversed and that these claims are in condition for allowance.

### Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims. Based on the arguments presented above, Applicants respectfully assert that Claims 1, 3, 21, 23, 30, 31, 37, and 38

overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 50-4160.

Respectfully submitted,  
MURABITO HAO & BARNES L.L.P.

Dated: April 26, 2010 \_\_\_\_\_ /William A. Zarbis/ \_\_\_\_\_

William A. Zarbis  
Registration No. 46,120

Address: Two North Market Street, Third Floor  
San Jose, CA 95113  
Phone: (408) 938-9060